

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Civil Action No. 3:01CV120-Mu

**FILED**  
CHARLOTTE, N. C.

**JUL 21 2005**

U. S. DISTRICT COURT  
W. DIST. OF N. C.

PAULETTA Y. GAITHER,

Plaintiff

vs.

YELLOW CAB OF CHARLOTTE, INC., et al.,

Defendants.

**CONSENT DECREE**

THIS MATTER is before the Court upon the parties' report that they have settled their dispute in this action. Accordingly, whereas:

1. Plaintiff has commenced this action by filing the complaint herein;
2. Service of the summons and complaint have been duly accomplished and acknowledged;
3. The parties to this action are plaintiff Pauletta Y. Gaither and defendants Yellow Cab of Charlotte, Inc., Carolina Transportation Company, Inc., Carolina Transportation Management, Inc., Jerry Williams, and Alfred Wheeler;
4. The parties have been represented by the attorneys whose names appear below;
5. The specific defendants who will agree to be bound by the terms and provisions of this Consent Decree are Carolina Transportation Company,

Inc., Carolina Transportation Management, Inc., and Alfred Wheeler; and

6. The plaintiff and those specific defendants have agreed to the settlement of this action upon the following terms and conditions,


NOW, THEREFORE, upon the joint motion of plaintiff and said defendants, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

1. This Court has jurisdiction of the subject matter and of the parties.
2. The Complaint states claims upon which relief may be granted against the defendants.
3. Defendants Carolina Transportation Company, Inc., Carolina Transportation Management, Inc., and Alfred Wheeler, jointly and severally, together with their successors and assigns, shall pay plaintiff the total amount of \$17,000.00 in settlement of this action.
4. Said defendants shall make an initial settlement payment, in the amount of \$8,000.00, immediately.
5. Said defendants shall make additional settlement payments in the amount of \$750.00 per month beginning on August 1, 2005, and continuing thereafter for twelve consecutive months until the remaining \$9,000.00 of the settlement amount is paid in full.
6. Each of defendants' settlement payments shall be made out to "Pauletta Y. Gaither and The Fuller Law Firm, P.C.", and shall be delivered to The Fuller Law Firm, P.C., at 212 South Tryon Street, Suite 1640, Charlotte, North Carolina 28281.

7. In the event of any default in payment, which default continues for ten (10) days beyond the due date of payment, the entire unpaid settlement amount, together with interest, as computed pursuant to 28 U.S.C. § 1961, from the date of default to the date of payment, shall immediately become due and payable.
8. This Court shall retain jurisdiction of this matter only for the duration of the settlement payment plan set forth herein for the purpose of enabling any of the parties to this Consent Decree to apply to the Court for such further orders or directives as may be necessary or appropriate for the enforcement of compliance therewith, or for the punishment of violations thereof.

JUDGMENT IS, THEREFORE, HEREBY ENTERED in favor of plaintiff and against defendants Carolina Transportation Company, Inc., Carolina Transportation Management, Inc., and Alfred Wheeler, jointly and severally, pursuant to all the terms and conditions recited above.

This the 21<sup>st</sup> day of July 2005.

  
\_\_\_\_\_  
HONORABLE GRAHAM C. MULLEN  
Chief United States District Judge

**CONSENT DECREE**

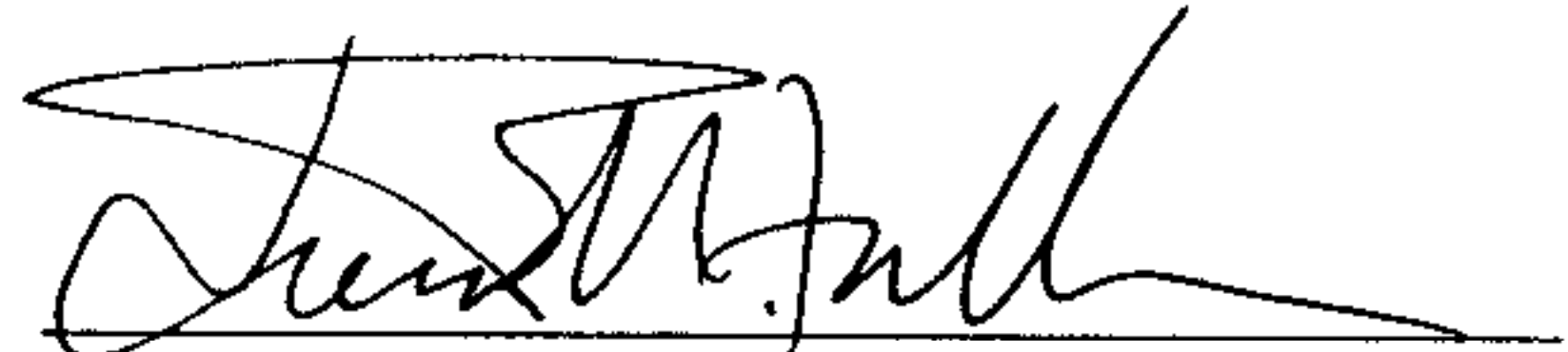
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The parties, by their counsel, hereby consent to the terms and conditions of the Consent Decree as set forth above and consent to the entry thereof.

FOR THE PLAINTIFF:

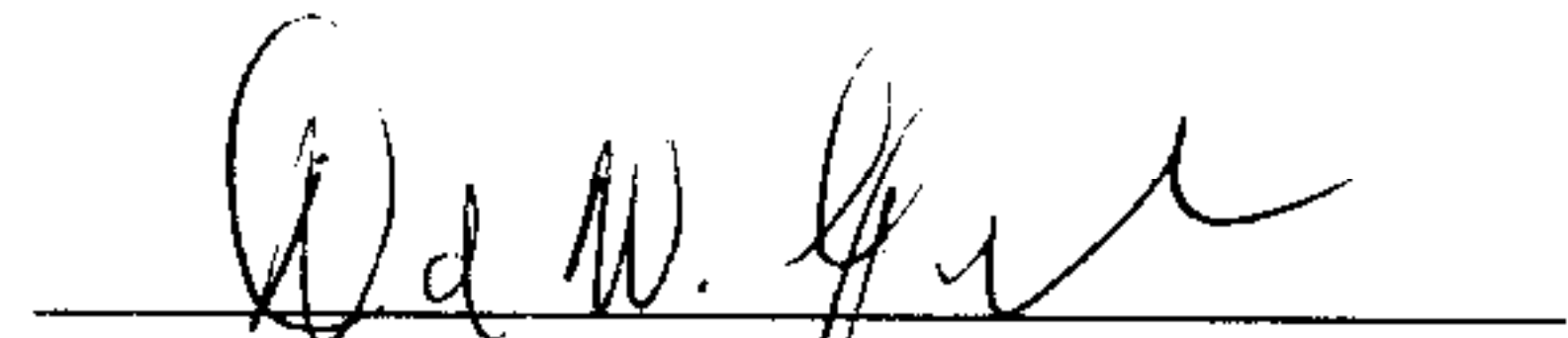
This the 21<sup>st</sup> day of July 2005.



Trevor M. Fuller (N.C. Bar No. 27044)  
THE FULLER LAW FIRM, P.C.  
212 South Tryon Street, Suite 1640  
Charlotte, North Carolina 28281

FOR DEFENDANTS CAROLINA  
TRANSPORTATION COMPANY, INC.,  
CAROLINA TRANSPORTATION  
MANAGEMENT, INC., and ALFRED  
WHEELER:

This the 21 day of July 2005.



David W. Gilpin (N.C. Bar No. 18779)  
GILPIN & HATCHER, P.C.  
801 East Trade Street, Suite 100  
Charlotte, North Carolina 28202